

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ALLEN DUANE HULSEY,	:	
	:	
Petitioner	:	
	:	
VS.	:	
	:	
SHARON DUFFEY,	:	NO: 5:08-CV-356 (CAR)
	:	
Respondent	:	
	:	<u>ORDER</u>

On October 22, 2008, the Court issued an order instructing petitioner **ALLEN DUANE HULSEY** to use this Court's 28 U.S.C. § 2254 form and to answer certain questions concerning exhaustion of state court remedies. On November 12, 2008, petitioner presented his habeas claims on the standard form required by this Court. Although petitioner made mention of a habeas corpus petition in the Jones County Superior Court, he referenced case number 5:8-cv-356, which is the case number of the instant case. Petitioner made no mention of filing a direct appeal or seeking other state habeas relief. Because of petitioner's *pro se* status, the Court gave petitioner one additional opportunity to explain whether he made any attempt to exhaust his available state court remedies prior to filing his federal action. He was given until December 19, 2008 to comply. Petitioner was warned that his failure to comply with the Court's order would result in dismissal of his habeas petition.

As of today's date, petitioner has failed to respond to the Court's order. Accordingly, petitioner's pleadings are hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED, this 23rd day of December, 2008.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT COURT

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